S.B. CIVIL WRIT PETITION NO.1209/2007.

Ramnarayan Saini and ors.
Vs.
State of Rajasthan and anr.

Date of order : 17/4/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri D.V. Tholia for the petitioners.

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Heard learned counsel for the petitioners.

Learned counsel for the petitioners submits that the petitioners were having license to run fair price shops and were authorised to distribute the wheat during famine relief work to the labourers under the Sampuran Gramin Rojgar Yojana in Samvat 2059. The petitioners have enclosed with the writ petition a chart prepared by the Tehsildar Neema Ka Thana, District Sikar which indicates the names of the authorised shop owners as also the quantity of the wheat supplied to them and the quantity of the wheat for which the coupons were

deposited. The chart also indicates the surplus wheat and the shortage of quantity. It is submitted that inspite of the fact that the petitioners had duly accounted for the distributed wheat and had deposited requisite coupons, the Tehsildar Neem Ka Thana has illegally issued notices to the petitioners on the basis of certain audit reports and is now seeking to make huge recoveries from the petitioners. Learned counsel for the petitioners further submits that the chart prepared by the Tehsildar was on the basis of factual reports but he appears to have issued notices probably for the reason that some of the coupons were lost in their office.

Having heard learned counsel for the petitioners, perusing the chart and other documents and considering the facts and circumstances of the case, I find though the chart appears to have been prepared for evaluation of the quantity of the wheat given to the

petitioners for its onward's supply to the labourers. But, this is such a matter where it would not be appropriate to directly entertain the writ petition because the petitioners can have their remedy with the senior officers.

I, therefore, set the petitioners at liberty to make representation to the District Collector Sikar within a period of four weeks raising all those points which have been raised by the petitioners in this writ petition annexing therewith the aforesaid chart or any other relevant documents on which they want to rely upon. On such representation being filed, the District Collector Sikar shall have the matter inquired into by any senior officer and decide the representation of the petitioners after affording an opportunity of hearing to the petitioners and shall decide as to whether any recovery is to be made from the petitioners or not.

With these observations, the writ petition is disposed of.

(MOHAMMAD RAFIQ), J.

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